

REMARKS

Applicant has carefully reviewed and considered the Final Office Action mailed on October 25, 2005, and the references cited therewith.

Claims 1, 4, 5, 13, 19, 23, and 26 are amended, claims 6-12, 14-18, 22, and 24-25 are canceled, and claims 27-28 are added; as a result, claims 1-5, 13, 19-21, 23, and 26-28 are now pending in this application.

Applicant respectfully submits that claims 27-28 do not introduce any new subject matter and are intended to cover additional claimable subject matter fully supported by the originally filed specification.

Information Disclosure Statement

Applicant respectfully requests that a copy of the 1449 Form, listing all references that were submitted with the Information Disclosure Statement filed on January 23, 2002, marked as being considered and initialled by the Examiner, be returned with the next official communication. The reference (1Q) was not initialled as being considered.

§ 102 Rejection of the Claims

Claims 1-4, 9, 10, 13, 16, 18, 19, 21, 22, 23, and 25 were rejected under 35 USC § 102(e) as being anticipated by Comisky (U.S. Patent No. 6,473,072). As noted above, claims 10, 16, 18, 22, and 25 are canceled.

Applicant submits that the Comisky reference appears to describe "a display device." (Col. 1, lines 11-12.) In contrast, Applicant believes that the claimed invention in independent claims 1 and 27 differs from the Comisky reference for at least the reasons described below.

Independent claim 1, as currently amended, recites in part, "a scanning device, employed in the whiteboard apparatus, configured to convert a paper document into an electronic representation of the paper document." Independent claim 27, recites in part, "scanning a paper document, with a first scanning device employed in a whiteboard apparatus, to convert the paper document into an electronic representation of the paper document." Support for such amendments can be found, at least, from page 12, line 3 through page 13, line 6 of the application as originally filed.

The Comisky reference does not appear to describe a scanning device

configured to convert a paper document into an electronic representation of the paper document. In contrast, the Comisky reference states that:

In another embodiment, the sliding bar 162 supports a scanning device. The scanning device can digitize the image provided on the screen of the drawing system. When used in combination with a data storage device, memory device, or communications device, this will allow the drawing system to store, recall and transmit images.

(Col. 17, lines 1-6.) The Comisky reference appears to describe a scanning device for scanning an “image on the screen,” not a scanning device for a “paper document” as recited in Applicant’s independent claim 1, or “scanning a paper document” as recited in Applicant’s independent claim 27.

Further, the Comisky reference appears to teach away from a scanning device employed in a whiteboard apparatus. In contrast, the Comisky reference states that:

an external scanning device can be used with the display 10 system.

(Col. 17, lines 6-7.) The Comisky reference appears to describe an external scanning device, not a scanning device “employed in the whiteboard apparatus” as recited in Applicant’s independent claim 1, or “employed in a whiteboard apparatus” as recited in Applicant’s independent claim 27.

The Comisky reference does not appear to describe “a user interface device configured to enable a user to select the electronic representation of the paper document for display on the electronic paper display device” as recited in Applicant’s independent claim 1. Nor does the Comisky reference appear to describe “receiving a selection from a user, through a user interface device on the whiteboard apparatus, to display the electronic representation of the paper document” as recited in Applicant’s independent claim 27.

The Comisky reference does not disclose each and every element in the Applicant’s independent claims 1 and 27. Further, the Comisky reference appears to teach away from the Applicant’s invention as recited in independent claims 1 and 27. Therefore, Applicant respectfully requests reconsideration and withdrawal of the § 102 rejection of claims 1 and 27, as well as those pending claims that depend therefrom.

§ 103 Rejection of the Claims

Claims 20 and 24 were rejected under 35 USC § 103(a) as being unpatentable over Comisky (U.S. Patent No. 6,473,072). As noted above, claim 24 is canceled. Claim 20 depends from independent claim 1. As discussed above, the Comisky reference does not disclose each and every element recited in the Applicant's independent claim 1. Also, as discussed above, the Comisky reference appears to teach away from the Applicant's invention as recited in independent claim 1. Therefore, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of claim 20, which depends from Applicant's independent claim 1.

Claims 5, 14, and 15 were rejected under 35 USC § 103(a) as being unpatentable over Comisky (U.S. Patent No. 6,473,072) in view of Chery, et al. (U.S. Patent No. 6,177,927). As noted above, claims 14 and 15 are canceled. Claim 5 depends from independent claim 1.

As discussed above, the Comisky reference does not disclose each and every element in the Applicant's independent claim 1. Further, the Comisky reference appears to teach away from the Applicant's invention as recited in independent claim 1.

Applicant submits that the Chery reference appears to describe "a system for recording writing performed on a surface." (Col. 1, lines 15-16.) In contrast, Applicant believes that the present invention as claimed in independent claim 1 differs from the Chery reference for at least the reasons described below.

Independent claim 1, as currently amended, recites in part, "a scanning device, employed in the whiteboard apparatus, configured to convert a paper document into an electronic representation of the paper document." The Chery reference does not appear to describe a scanning device "employed in the whiteboard apparatus" as recited in Applicant's independent claim 1.

Further, the Chery reference appears to teach away from a scanning device employed in a whiteboard apparatus. The Chery reference states that:

The image for the background image 50 can also be externally created. For instance, the image for the background image 50 can be blueprints which are scanned into the processing unit 20 via a scanner.

(Col. 25, lines 2-4.) The Chery reference appears to describe external scanning, not a scanning device "employed in the whiteboard apparatus" as recited in Applicant's

independent claim 1.

The Comisky reference and the Chery reference, either independently or in combination, do not teach or suggest each and every element in the Applicant's independent claim 1. Further, the Comisky reference and the Chery reference each appear to teach away from the Applicant's invention as recited in independent claim 1. Therefore, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of claim 5, which depends from Applicant's independent claim 1.

Claims 17 and 26 were rejected under 35 USC § 103(a) as being unpatentable over Comisky (U.S. Patent No. 6,473,072) in view of Applicant's admitted prior art (APA hereafter). As noted above, claim 17 is canceled. Claim 26 depends from independent claim 27.

As discussed above, the Comisky reference does not disclose each and every element in the Applicant's independent claim 27. Further, the Comisky reference appears to teach away from the Applicant's invention as recited in independent claim 27. Applicant respectfully submits that the Comisky reference and the APA references, either independently or in combination, do not teach or suggest each and every element in the Applicant's independent claim 27. Therefore, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of claim 26, which depends from Applicant's independent claim 27.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney Gregg W. Wisdom, Esq. at (360) 212-8052.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AF Commissioner for Patents, P.O. BOX 1450 Alexandria, VA 22313-1450, on this 21st day of December, 2005.

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